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16 Attorneys for Defendants  
17 NIKE, INC; NIKE USA, INC. AND  
18 NIKE RETAIL SERVICES, INC.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DUSTIN GORMLEY, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

NIKE, INC., an Oregon corporation,

Defendant.

ERIKA MCCARTNEY, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

NIKE, Inc., an Oregon corporation; and  
DOES 2 through 20,

Defendants.

Coordinated Case No. 11-cv-00893-SI

**STIPULATION AND [PROPOSED] ORDER  
RE EXPERT DISCLOSURES AND REPORTS**

Judge: Hon. Susan Illston  
Place: Courtroom 10, 19th Floor

COORDINATED CASE No. 11-cv-00893-SI

STIPULATION AND [PROPOSED] ORDER RE EXPERT DISCLOSURES AND REPORTS

1 KRISTEN L. HARTMAN, an individual, on  
2 behalf of herself and all others similarly  
situated,

3 Plaintiff,

4 v.

5 NIKE USA, INC., an Oregon Corporation;  
6 NIKE RETAIL SERVICES, INC., an Oregon  
Corporation, and DOES 1 through 50,  
inclusive,

7 Defendants.

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9  
10 Plaintiffs Dustin Gormley, Erika McCartney, and Kristen L. Hartman (“plaintiffs”) and  
11 defendants Nike, Inc., Nike USA, Inc. and Nike Retail Services, Inc. (“Nike”), by and through  
12 their respective counsel, jointly submit the following Stipulation re Class Expert Disclosures and  
13 Reports as follows:

14 **RECITAL**

15 **WHEREAS**, via Civil Pretrial Minutes filed August 2, 2011 (ECF No. 33), the Honorable  
16 Susan Illston set plaintiffs’ Motion for Class Certification for hearing on May 18, 2012, and set  
17 the briefing schedule as follows: Plaintiffs’ Motion for Class Certification due on March 23,  
18 2012; Defendants’ opposition brief due on April 20, 2012, and Plaintiffs’ reply brief due on May  
19 4, 2012;

20 **STIPULATION**

21 **NOW, THEREFORE, IT IS STIPULATED AND AGREED**, by the parties, through their  
22 respective counsel of record, that Nike and plaintiffs will simultaneously disclose experts and  
23 produce expert reports (if any) with regard to class certification on the dates designated below:

24 1. February 10, 2012: Class Expert Disclosures and Reports for Affirmative  
25 Experts;

26 2. March 9, 2012: Class Expert Disclosures and Reports for Rebuttal Experts.

1 **IT IS SO STIPULATED.**

2  
3 Dated: October 21, 2011

4 COOLEY LLP  
5 MICHELLE C. DOOLIN  
6 BEATRIZ MEJIA  
7 JENNIFER M. FRENCH  
8 MATTHEW M. BROWN

9 /s/ Beatriz Mejia

10 Beatriz Mejia

11 Attorneys for Defendants  
12 NIKE, INC., NIKE USA, INC., AND NIKE RETAIL  
13 SERVICES, INC.

14  
15 Dated: October 21, 2011

16 HOFFMAN & LAZEAR  
17 H. TIM HOFFMAN  
18 ARTHUR W. LAZEAR  
19 CHAD A. SAUNDERS

20 /s/ Chad A. Saunders

21 Chad A. Saunders

22 Attorneys for Plaintiff  
23 DUSTIN GORMLEY

24  
25 Dated: October 21, 2011

26 PACIFIC JUSTICE CENTER  
27 ROBERT B. HANCOCK  
28 MELVIN B. PEARLSTON

29 /s/ Robert B. Hancock

30 Robert B. Hancock

31 Attorneys for Plaintiff  
32 ERIKA MCCARTNEY

1 Dated: October 21, 2011

2 FINEMAN & ASSOCIATES  
3 NEIL B. FINEMAN

4 /s/ Neil B. Fineman  
5 Neil B. Fineman

6 Attorneys for Plaintiff  
7 ERIKA MCCARTNEY

8 Dated: October 21, 2011

9 STONEBARGER LAW, APC  
10 GENE J. STONEBARGER  
11 RICHARD D. LAMBERT

12 /s/ Gene J. Stonebarger  
13 Gene J. Stonebarger

14 Attorneys for Plaintiff  
15 KRISTEN L. HARTMAN

## FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation re Expert Disclosures and Reports.

Dated: October 21, 2011

COOLEY LLP  
MICHELLE C. DOOLIN  
BEATRIZ MEJIA  
JENNIFER M. FRENCH  
MATTHEW M. BROWN

/s/ Matthew M. Brown  
Matthew M. Brown

Attorneys for Defendants  
NIKE, INC., NIKE USA, INC., and  
NIKE RETAIL SERVICES, INC.

## IT IS SO ORDERED.

Dated: 10/25/11

Susan Ilston

## **The Hon. Susan Illston**

1240172 v2/SF

## **PROOF OF SERVICE** **(FRCP 5)**

I hereby certify that on October 21, 2011, I electronically filed the:

## **Stipulation and [Proposed] Order Re Expert Disclosures And Reports**

with the clerk using the CM/ECF system, which will send notification of such filing to the following attorneys of record at the following listed email addresses:

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I am personally and readily familiar with the business practice of Cooley LLP for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelopes with postage thereon fully prepaid to be placed in the United States Postal Service at San Francisco, California, on the following parties in this action:

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19                  Executed on October 21, 2011, at San Francisco, California.

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